

RECEIVED

\$ AF 2863

PTO/SB/31 (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)
KAMMON 3.0-073

In re Application of:
**Masaki Takamoto, Akira Yamasaki, Kenzo Hosoi, Satoshi Arai, and
Kazuyoshi Shimizu**

Application Number
09/768,857

Filed
January 24, 2001

For **FLOW RATE MEASURING APPARATUS**

Art Unit
2863

Examiner
K. S. Shah

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ **330.00**

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **12-1095**. I have enclosed a duplicate copy of this sheet.

☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

I am the

☐ applicant /inventor

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b)
is enclosed. (Form PTO/SB/96)

☒ attorney or agent of record.

Registration number **51,548**

☐ attorney or agent acting under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a) _____

Signature

Scott E. Charney
Typed or printed name

(908) 518-6336

Telephone number

January 14, 2004

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of **1** forms are submitted.

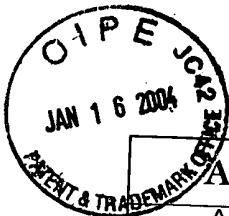
01/21/2004 HDEMESS1 00000004 121095 09768857

01 FC:1401 330.00 DA

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22312-1450, on the date shown below.

Dated: January 14, 2004

Signature: (Scott E. Charney)



AMENDMENT TRANSMITTAL LETTER			Expedited Procedure	
Application No. 09/768,857		Filing Date January 24, 2001		Examiner K. S. Shah
Applicant(s): Masaki Takamoto, Akira Yamasaki, Kenzo Hosoi, Satoshi Arai, and Kazuyoshi Shimizu				Group Art Unit 2863
				Docket No. KAMMON 3.0-073

Invention: FLOW RATE MEASURING APPARATUS

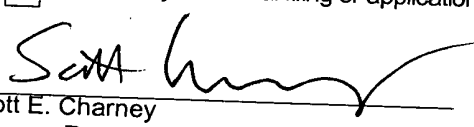
TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	12	- 20 =		x	0.00
Independent Claims	1	- 3 =		x	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					

- ☒ Large Entity ☐ Small Entity
- ☐ No additional fee is required for this amendment.
- ☒ Please charge Deposit Account No. 12-1095 in the amount of 0.00.
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 12-1095 as described below. A duplicate copy of this sheet is enclosed.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.


Scott E. Charney
Attorney Reg. No. 51,548
No.:
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 518-6336

Dated: January 14, 2004

RECEIVED
JAN 22 2004
TECHNOLOGY CENTER 2800

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: January 14, 2004

Signature: Scott E. Charney

(Scott E. Charney)

EXPEDITED PROCEDURE

Group Art Unit: 2863

Docket No.: KAMMON 3.0-073



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Takamoto et al.

Application No.: 09/768,857

Filed: January 24, 2001

For: FLOW RATE MEASURING APPARATUS

:
:
:
:
: Group Art Unit: 2863
:
: Examiner: Kamini S. Shah
:
:

AMENDMENT UNDER 37 CFR 1.116

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated July 15, 2003, finally rejecting claims 11-18, please amend the above-identified U.S. patent application as follows:

RECEIVED
JAN 22 2004
TECHNOLOGY CENTER 2800